

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES L. WILLIAMS,

Plaintiff,

v.

MARTHA CAMPOS, M.D., et al.,

Defendants.

No. C 04-2086 MMC (PR)

**ORDER DISMISSING CLAIMS
AGAINST REMAINING DEFENDANT**

On May 26, 2004, plaintiff Charles Williams, a California prisoner currently incarcerated in San Quentin State Prison (“SQSP”), filed the above-titled civil rights action pursuant to 42 U.S.C. § 1983, alleging the violation of his constitutional rights while he was housed at the Santa Rita County Jail (“Santa Rita”). Plaintiff twice amended his complaint. On October 19, 2004, after reviewing the Second Amended Complaint¹, the Court found plaintiff had stated cognizable claims against defendants M. Inocencio, R.N. (“Inocencio”), Horacio Campos, M.D. (“Dr. Horacio Campos”), Martha Campos, M.D. (“Dr. Martha Campos”) and J. Pendleton, M.D. (“Dr. Pendleton”), all Santa Rita employees.

On September 27, 2006, the Court granted the summary judgment motion of Inocencio, Dr. Horacio Campos, and Dr. Martha Campos. As Dr. Pendleton had not been


¹ Unless otherwise noted, the Second Amended Complaint, filed March 7, 2005, will be referred to herein as the “complaint.”

1 served, the Court directed plaintiff to either “effect service on defendant Dr. Pendleton”
2 within thirty days or, within such time period, “provide the Court with an accurate current
3 location such that the Marshal is able to effect such service.” Plaintiff was advised that if he
4 failed to do so, the claims against him would be dismissed without prejudice pursuant to Rule
5 4(m) of the Federal Rules of Civil Procedure. More than thirty days have passed and
6 plaintiff has not effected service upon Dr. Pendleton or provided the Court with his current
7 location.² Accordingly, the claims against Dr. Pendleton, the sole remaining defendant in
8 this matter, are DISMISSED without prejudice.

9 The Clerk shall close the file.

10 IT IS SO ORDERED.

11 DATED: November 17, 2006

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13 MAXINE M. CHESNEY
14 United States District Judge
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28 ²Plaintiff evidently chose a different course of action; on October 25, 2006, he filed a
notice of appeal of the Court’s September 27, 2006 Order.